

**ASSEMBLY BILL**

**No. 127**

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**Introduced by Assembly Member Logue**

January 11, 2011

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An act to amend Section 11343.4 of the Government Code, relating to regulations.

LEGISLATIVE COUNSEL'S DIGEST

AB 127, as introduced, Logue. Regulations: effective date.

Existing law, the Administrative Procedure Act, governs the procedure for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law. Under existing law, a regulation or an order of repeal of a regulation becomes effective on the 30th day after it is filed with the Secretary of State, except as provided.

This bill would require that a regulation or an order of repeal of a regulation become effective, instead, on January 1 next following a 90-day period after the date it is filed with the Secretary of State, except as provided.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 11343.4 of the Government Code is
- 2 amended to read:
- 3 11343.4. A regulation or an order of repeal required to be filed
- 4 with the Secretary of State shall become effective on the 30th day

1 *January 1 next following a 90-day period* after the date of filing  
2 unless:

3 (a) Otherwise specifically provided by the statute pursuant to  
4 which the regulation or order of repeal was adopted, in which event  
5 it becomes effective on the day prescribed by the statute.

6 (b) A later date is prescribed by the state agency in a written  
7 instrument filed with, or as part of, the regulation or order of repeal.

8 (c) The agency makes a written request to the office  
9 demonstrating good cause for an earlier effective date, in which  
10 case the office may prescribe an earlier date.